

Translation

PATENT COOPERATION TREATY

PCT/EP2003/009331



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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P037366/WO/1	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/009331	International filing date (day/month/year) 22 August 2003 (22.08.2003)	Priority date (day/month/year) 12 September 2002 (12.09.2002)
International Patent Classification (IPC) or national classification and IPC H01Q 1/32		
Applicant DAIMLERCHRYSLER AG		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>6</u> sheets, including this cover sheet.</p> <p><input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of <u>15</u> sheets.</p>	
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>	

Date of submission of the demand 07 February 2004 (07.02.2004)	Date of completion of this report 14 January 2005 (14.01.2005)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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International application No.

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I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages 1-9, filed with the letter of 30 November 2004 (30.11.2004)
- ☒ the claims:
 pages _____, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages 1-14, filed with the letter of 30 November 2004 (30.11.2004)
- ☒ the drawings:
 pages 1/2-2/2, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims		YES
	Claims	1	NO
Inventive step (IS)	Claims		YES
	Claims	1-14	NO
Industrial applicability (IA)	Claims	1-14	YES
	Claims		NO

2. Citations and explanations

1. Reference is made to the following documents:

D1: DE 42 15 659

D6*: WO02/068245

D7*: EP 0 819 520

(D6 to D7 were not cited in the international search report. Copies of the documents are attached.)

2. The present application does not satisfy the requirements of PCT Article 33(1) because the subject matter of claim 1 is not novel (PCT Article 33(2)).

2.1 D6 (cf. page 2, lines 19 to 22; page 21, line 5 to page 22, line 3; page 24, line 20 to page 25, line 12; page 29, line 22 to page 31, line 10; and figures 2, 4, 10 and 11) discloses an integrated antenna structure, especially for integration into plastics skin parts, wherein skin parts are provided with an antenna structure integrated into an antenna film, the skin part being

- in the form of a component which
 - is provided with paint films as a surface finish, and
 - has a contact layer for establishing contact with the antenna structure and has a substrate layer and a covering layer.

2.2 The following statement is made in case the applicant should take the view that D6 does not implicitly disclose that the protective layer 12 is a paint film. The use of paint films as a surface finish is known; see for example D7. A person skilled in the art would readily use paint films of this kind as a protective layer in D6 without thereby being inventive. In this way a skilled person would arrive at the subject matter of claim 1.

3. The subject matter of claim 1 does not involve an inventive step over D1 and D7 (PCT Article 33(3)).

3.1 D1 (cf. column 5, line 14 to column 6, line 24) discloses an integrated antenna structure, especially for integration into plastics skin parts, wherein skin parts are provided with an antenna structure integrated into an antenna film, the skin part being

- in the form of a component which
 - has a contact layer 5 for establishing contact with the antenna structure 3, 4, and has a

substrate layer (cf. column 5, lines 27 to 28: plastics films) and a covering layer (cf. column 5, lines 29 to 30: foam core 22 or bumper).

3.2 The subject matter of claim 1 therefore differs from D1 only in that

- the component is provided with paint films as a surface finish.

Although D1 does not indicate the extent to which the skin parts or the component are provided with paint films as a surface finish, to a person skilled in the art this is a standard design, since almost every car for the past ten years has been provided with, for example, painted bumpers; see also D7, which discloses the use of paint films for skin parts.

4. D7 discloses the production of three-layer paint films, and D6 discloses the integration of antenna elements and antenna contacts (lines) in layers resembling paint films. Independent claims 6, 7, 10, 12 and 13 do not therefore appear to contain anything beyond the disclosure of the two documents D6 and D7 (or D1) or anything that a person skilled in the art would not automatically add, on the basis of routine considerations and depending on the requirements, for the purpose of designing the method according to these claims.

4.1 The additional features of the dependent claims do not appear to contain anything beyond the disclosure of the search report citations or anything that a

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person skilled in the art would not automatically add, on the basis of routine considerations and depending on the requirements, for the purpose of designing the antenna structure and the method.